

## Supported Employment Enterprise (SEE)

### **General Description:**

Supported Employment Enterprise (SEE) provides hourly and daily one-on-one support for persons who are working in competitively to establish, maintain, and advance their self-employment in a business enterprise of their creation. SEE can be full or part-time and may occur in a variety of settings but is not intended to occur in a facility setting. SEE staff assist the person to create a business plan, conduct a market analysis, obtain business financing, implement the business and manage the business finances. Supports may occur anytime during a 24-hour day and include training, instruction and coaching. The following is the essence of customized employment service.

### **Limitations:**

Payments will only be made for adaptations, supervision, and training required by a person as a result of the person's disability and will not include payment for the supervisory activities rendered as a normal part of the business setting. Documentation will be maintained that SEE services rendered under the waiver are not available under a program funded by either the Rehabilitation Act of 1973 as amended [<http://www.accessboard.gov/enforcement/Rehab-Act-text/intro.htm>] or the Persons with Disabilities Education Act.

Federal Financial Participation will not be claimed for incentive payments, subsidies, or unrelated vocational training expenses, such as incentive payments made to an employer or beneficiaries to encourage or subsidize an employer's participation in a supported employment program.

### **Population Served:**

The Contractor will serve people currently receiving services from DHS/DSPD with intellectual disabilities and related conditions, and acquired brain injury, as defined in Utah Administrative Code R539-1.

[<http://rules.utah.gov/publicat/code/r539/r539.htm>]

### **Contractor's Qualifications:**

Contractor must have all applicable licenses as prescribed in Utah Administrative Code R501 <http://rules.utah.gov/publicat/code/r501/r501.htm> to operate and provide the particular type of services being offered and comply with insurance requirements and any local ordinances or permits. A non-licensed contractor must be certified by DHS/DSPD as an authorized provider of services to persons with disabilities in accordance with Utah Code Section 62A-5-103.

<http://www.le.state.ut.us/~code/TITLE62A/62A05.htm>

Contractor must be enrolled as an approved Medicaid Provider with the Department of Health and agree to allow DHS/DSPD to bill Medicaid on its behalf for covered Medicaid services included in the rate paid by DHS/DSPD to the Contractor. Contractor must also agree to participate in any DHS/DSPD provided Medicaid training.

The Contractor must ensure that the Supported Employment staff are trained in the Staff Training Requirements as outlined in applicable General Requirements, Home and Community Based Waiver, rule, statute, and contract.

Wages paid to persons receiving Supported Employment services shall be commensurate for other employees performing similar labor. If the Contractor pays a person less than the minimum wage, the contractor must have a Certificate pursuant to Section 14 ( C ) of the Fair Labor Standards Act from the Federal Department of Labor permitting payment of a sub-minimum wage.

[<http://www.dol.gov/esa/whd/flsa/index.htm>]

Contractor shall be under DHS, DSPD contract to provide Supported Employment services.

**Staff Qualifications:**

Staff must demonstrate competency (in the services covered by the contract), as determined by the Contractor, in addition, all applicable education, and training must be completed before performing any work for persons without supervision.

Staff must pass a Bureau of Criminal Identification (BCI) background check through 53 the DHS, Office of Licensing and have a record of the BCI results in the staff record.

<http://rules.utah.gov/publicat/code/r501/r501-14.htm>

All staff rendering services under this code must be at least 18 years of age.

Professional Staff must be licensed to provide specific services, as applicable, according to the Division of Occupational and Professional Licensing. <http://www.le.state.ut.us/~code/TITLE58/TITLE58.htm>

**Direct Service Requirements:**

- A. Person-Centered Planning: Contractor staff shall participate in and comply with the requirements of the DHS/DSPD Person-Centered Planning Process in providing services.
  1. The Contractor is responsible for implementing the applicable portion of the Individual Support Plan's Action Plan (ISP/AP). The ISP document may include the following separate documents: Action Plan, Support Strategies, including Behavior Support Plan, Psychotropic Med Plan, Staff Instruction sheet, data collection and/or Task Analysis sheet.
  2. Once the ISP/AP has been developed, the person and the Support Coordinator must orient the Contractor to that part of the plan that pertains to this service and ensure the person is involved in its implementation.
  3. The Contractor shall develop Support Strategies for the person. Contractor shall submit Support Strategies and Monthly Summaries to DHS/DSPD.
  4. If the service is continuous, the Contractor, as a member of the person's team, is required to meet at least annually (within 12 months of the last Person Centered Process meeting) to review the person's service/support requirements and to make adjustments as necessary based on the person's needs. However, it may meet more often as determined by the person or other members of the team.
- B. Vocational Assessments: Contractor shall determine skills, interests, or behavior of persons before self-employment or for the re-placement of self-employment. Services may be provided at an approved facility or an employment site.
- C. Business Enterprise Development: Contractor shall assist the person to conduct business enterprise development activities, including locating potential customers in the community; introducing the person to specific customers; conducting business development and market analyses; arranging for certification and other such activities that will enhance business enterprise development and creation opportunities, and assisting the person with the creation of a business plan. Contractor will also work with the person surrounding obtaining financing for the business and the creation of financial management and accounting systems. All activities must be on

behalf of the person. It is expected that the person will normally be directly involved with each of these activities.

- D. Pre-placement: Contractor may bill for time spent with, or on behalf of a person in an effort to effect self-employment for the person. If an activity on the part of the Contractor cannot be directly related to efforts to secure self-employment for a specific person, that activity will be ineligible for reimbursement under the SEE service code.

**Staff Support:**

Actual type, frequency and duration of direct care staff support will be defined in the person's ISP/AP based on the person's selected housing arrangement and assessed needs.

**Rate:**

SEE has an hourly and daily rate. The hourly rate is determined by the person's individual needs as specified in the person's ISP and budget. The daily rate is negotiated based upon the number of hours of daily support required to maintain an existing job when the person requires more than 1 hour of ongoing support per day.